

FILED

2012 AUG -1 AM 11:09

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

BY _____

1 Robert N. Phan (State Bar No. 217283)
2 Juan D. Garcia (State Bar No. 215980)
3 **GARCIA & PHAN, A Prof. Law Corp.**
4 17011 Beach Blvd., Ste. 540
5 Huntington Beach, CA 92647
6 Telephone: (714) 848-8200
7 Facsimile: (714) 677-4005

8 Attorneys for Defendants,
9 CORTISLIM INTERNATIONAL, INC.,
10 NATIONAL MARKETING, INC.,
11 CORTISLIM INTERNATIONAL, LLC,
12 ALAN R. SPORN, and JOHN S. NEUBAUER, JR.

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

15 SACV 12 - 01236 JST (RNBx)

16 MAX MEDIA, INC., a corporation,

CASE NO.: _____

17 Plaintiff,

18 vs.

19 DEFENDANTS, CORTISLIM
20 INTERNATIONAL, INC.,
21 NATIONAL MARKETING, INC.,
22 CORTISLIM INTERNATIONAL,
23 LLC, ALAN R. SPORN, and JOHN S.
24 NEUBAUER, JR.'S, NOTICE OF
25 REMOVAL

26 CORTISLIM INTERNATIONAL, INC.;
27 NATIONAL MARKETING, INC.;
28 CORTISLIM INTERNATIONAL, LLC;
ALAN R. SPORN, an individual;
JOHN S. NEUBAUER, JR., an
individual; RICHARD A. SPORN, an
individual; and DOES 1 to 20, inclusive,

Defendants.

DEFENDANTS, CORTISLIM INTERNATIONAL, INC., NATIONAL
MARKETING, INC., CORTISLIM INTERNATIONAL, LLC, ALAN R. SPORN,
and JOHN S. NEUBAUER, JR.'S NOTICE OF REMOVAL

25 Defendants, CORTISLIM INTERNATIONAL, INC., NATIONAL
26 MARKETING, INC., CORTISLIM INTERNATIONAL, LLC, ALAN R. SPORN, and
27 JOHN S. NEUBAUER, JR., pursuant to 28 U.S.C. §1441, hereby remove to this Court
28 the state action described below, which is within the original jurisdiction of this Court and

properly removed under 28 U.S.C. §§ 1332, 1441, 1446, and 1453. Pursuant to 28 U.S.C. §1446(d), copies of this Notice of Removal are being served upon counsel for Plaintiff, MAX MEDIA, INC., and filed with the Clerk of the of the California Superior Court for the County of Orange, as an exhibit to a Notice to State Court of Removal to Federal Court. A copy of the Notice being filed in state court is attached hereto as Exhibit "A".

PROCEDURAL HISTORY AND TIMELINESS OF REMOVAL

1. On May 31, 2012, Plaintiff, Max Media, Inc., filed a complaint alleging among other causes of action securities fraud in violation of Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5.

2. Defendants, Cortislim International, Inc., Cortislim International, LLC, and National Marketing, Inc., were served with the summons and complaint on June 7, 2012. Defendant, John D. Neubauer, Jr., was served with the summons and complaint on June 20, 2012. Defendant, Alan R. Sporn, was served with the summons and complaint on July 5, 2012. (Exhibit "B" - Proofs of Service.) This notice is therefore timely with respect to Alan R. Sporn pursuant to 28 U.S.C. §1446(b). Pursuant to 28 U.S.C. §1446(a), true and correct copies of all process, pleadings, and orders served upon Defendants in the State Court Action are attached to this Notice as Exhibit "C".

3. The California Superior Court for the County of Orange, Central Justice Center, is located within the Central District of California. 28 U.S.C. §84(d). This Notice of Removal is therefore properly filed in this Court pursuant to 28 U.S.C. §1441(a).

JOINDER NECESSARY

4. Defendants, Cortislim International, Inc., Cortislim International, LLC, National Marketing, Inc., and John D. Neubauer, consent and join in the notice of removal.

///

ALLEGATIONS OF THE COMPLAINT

5. This action involves among other claims a cause of action for securities fraud in violation of Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5. (Exhibit "C" - Complaint - Pg. 13, ¶53.)

6. Plaintiff specifically alleges that all Defendants used the "means and instrumentalities of interstate commerce and/or mails, telephone, wire and internet to convey materially false statements concerning the sale of securities to plaintiff" (Exhibit "C" - Complaint - ¶42.) Plaintiff further alleges that "By engaging in the foregoing conduct in violation of federal and state securities laws, the Sporn Affiliated Defendants, Neubauer, and R. Sporn acted with fraud and malice" (Exhibit "C" - Complaint - ¶52.)

7. Defendants dispute and deny Plaintiff's allegations and believe the complaint lacks merit and deny that Plaintiff suffered damages.

BASIS FOR REMOVAL

8. This action is within the original jurisdiction of this Court and removal therefore is proper under 28 U.S.C. §§ 1332, 1441, 1446, and 1453, which grant district courts original jurisdiction over securities claims under Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5.

CONCLUSION

9. For all the reasons stated above, this action is within the original jurisdiction of this Court pursuant to 28 U.S.C. §1332(d). Accordingly, this action is removable pursuant to 28 U.S.C. §1441(a) and §1453.

///

///

1 Wherefore, Defendants give notice that the above described action pending against
2 them in the Superior Court for the County of Orange, Central Justice Center, is removed
3 to this Court.

4
5 DATED: July 31, 2012

GARCIA & PHAN, *A Law Corporation*

6
7 

8
9 By

ROBERT N. PHAN
JUAN D. GARCIA
Attorneys for Defendants,
CORTISLIM INTERNATIONAL, INC.,
NATIONAL MARKETING, INC.,
CORTISLIM INTERNATIONAL, LLC,
ALAN R. SPORN, and JOHN S.
NEUBAUER, JR.

EXHIBIT “A”

1 Robert N. Phan (State Bar No. 217283)
Juan D. Garcia (State Bar No. 215980)
2 **GARCIA & PHAN, A Prof. Law Corp.**
17011 Beach Blvd., Ste. 540
3 Huntington Beach, CA 92647
Telephone: (714) 848-8200
4 Facsimile: (714) 677-4005

5 Attorneys for Defendants,
6 CORTISLIM INTERNATIONAL, INC.;
NATIONAL MARKETING, INC.;
7 CORTISLIM INTERNATIONAL, LLC;
ALAN R. SPORN; and JOHN S. NEUBAUER, JR.
8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF ORANGE
11

12 MAX MEDIA, INC., a corporation,

13 Plaintiff,

14 vs.
15

16 CORTISLIM INTERNATIONAL, INC.;
NATIONAL MARKETING, INC.;
17 CORTISLIM INTERNATIONAL, LLC;
ALAN R. SPORN, an individual; and
18 JOHN S. NEUBAUER, JR., an
individual; RICHARD A. SPORN, an
19 individual; and DOES 1 to 20, inclusive,
20

21 Defendants.
22

CASE NO.: 30-2012-00573178

**DEFENDANTS' CORTISLIM
INTERNATIONAL, INC.;
NATIONAL MARKETING, INC.;
CORTISLIM INTERNATIONAL,
LLC; ALAN R. SPORN; and JOHN S.
NEUBAUER, JR.'S NOTICE OF
REMOVAL TO THE SUPERIOR
COURT**

23 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD AND THE CLERK OF
24 THE SUPERIOR COURT:

25 PLEASE TAKE NOTICE that on July 31, 2012, Defendants CORTISLIM
26 INTERNATIONAL, INC.; NATIONAL MARKETING, INC.; CORTISLIM
27 INTERNATIONAL, LLC; ALAN R. SPORN; and JOHN S. NEUBAUER, JR. filed a
28 Notice of Removal of this action with the United States District Court for the Central

1 District of California. A true and correct copy of said Notice of Removal (without
2 exhibits) is attached as Exhibit A and served and filed herewith.

3 PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. §1446, the filing
4 of said Notice affects the removal of this action to the federal court, and this Court is
5 directed to "proceed no further unless and until the case is remanded." 28 U.S.C.
6 §1446(d).

7 DATED: July 31, 2012

GARCIA & PHAN, *A Law Corporation*

8
9 By 

10 JUAN D. GARCIA
11 Attorneys for Defendants,
12 CORTISLIM INTERNATIONAL, INC.;
13 NATIONAL MARKETING, INC.;
14 CORTISLIM INTERNATIONAL, LLC;
15 ALAN R. SPORN; and JOHN S.
16 NEUBAUER, JR.
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28

Exhibit “A”

1 Robert N. Phan (State Bar No. 217283)
Juan D. Garcia (State Bar No. 215980)
2 **GARCIA & PHAN, A Prof. Law Corp.**
17011 Beach Blvd., Ste. 540
3 Huntington Beach, CA 92647
Telephone: (714) 848-8200
4 Facsimile: (714) 677-4005

5 Attorneys for Defendants,
6 CORTISLIM INTERNATIONAL, INC.,
NATIONAL MARKETING, INC.,
7 CORTISLIM INTERNATIONAL, LLC,
ALAN R. SPORN, and JOHN S. NEUBAUER, JR.
8

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION
11

12 MAX MEDIA, INC., a corporation,

13 Plaintiff,

14 vs.
15

16 CORTISLIM INTERNATIONAL, INC.;
17 NATIONAL MARKETING, INC.;
CORTISLIM INTERNATIONAL, LLC;
18 ALAN R. SPORN, an individual; and
JOHN S. NEUBAUER, JR., an
19 individual; RICHARD A. SPORN, an
individual; and DOES 1 to 20, inclusive,

20 Defendants.
21

CASE NO.: _____

**DEFENDANTS, CORTISLIM
INTERNATIONAL, INC.,
NATIONAL MARKETING, INC.,
CORTISLIM INTERNATIONAL,
LLC, ALAN R. SPORN, and JOHN S.
NEUBAUER, JR.'S, NOTICE OF
REMOVAL**

22
23 **DEFENDANTS, CORTISLIM INTERNATIONAL, INC., NATIONAL**
MARKETING, INC., CORTISLIM INTERNATIONAL, LLC, ALAN R. SPORN,
24 **and JOHN S. NEUBAUER, JR.'S NOTICE OF REMOVAL**

25 Defendants, CORTISLIM INTERNATIONAL, INC., NATIONAL
26 MARKETING, INC., CORTISLIM INTERNATIONAL, LLC, ALAN R. SPORN, and
27 JOHN S. NEUBAUER, JR., pursuant to 28 U.S.C. §1441, hereby remove to this Court
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properly removed under 28 U.S.C. §§ 1332, 1441, 1446, and 1453. Pursuant to 28 U.S.C. §1446(d), copies of this Notice of Removal are being served upon counsel for Plaintiff, MAX MEDIA, INC., and filed with the Clerk of the of the California Superior Court for the County of Orange, as an exhibit to a Notice to State Court of Removal to Federal Court. A copy of the Notice being filed in state court is attached hereto as Exhibit "A".

PROCEDURAL HISTORY AND TIMELINESS OF REMOVAL

1. On May 31, 2012, Plaintiff, Max Media, Inc., filed a complaint alleging among other causes of action securities fraud in violation of Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5.

2. Defendants, Cortislim International, Inc., Cortislim International, LLC, and National Marketing, Inc., were served with the summons and complaint on June 7, 2012. Defendant, John D. Neubauer, Jr., was served with the summons and complaint on June 20, 2012. Defendant, Alan R. Sporn, was served with the summons and complaint on July 5, 2012. (Exhibit "B" - Proofs of Service.) This notice is therefore timely with respect to Alan R. Sporn pursuant to 28 U.S.C. §1446(b). Pursuant to 28 U.S.C. §1446(a), true and correct copies of all process, pleadings, and orders served upon Defendants in the State Court Action are attached to this Notice as Exhibit "C".

3. The California Superior Court for the County of Orange, Central Justice Center, is located within the Central District of California. 28 U.S.C. §84(d). This Notice of Removal is therefore properly filed in this Court pursuant to 28 U.S.C. §1441(a).

JOINDER NECESSARY

4. Defendants, Cortislim International, Inc., Cortislim International, LLC, National Marketing, Inc., and John D. Neubauer, consent and join in the notice of removal.

///

ALLEGATIONS OF THE COMPLAINT

5. This action involves among other claims a cause of action for securities fraud in violation of Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5. (Exhibit "C" - Complaint - Pg. 13, ¶53.)

6. Plaintiff specifically alleges that all Defendants used the "means and instrumentalities of interstate commerce and/or mails, telephone, wire and internet to convey materially false statements concerning the sale of securities to plaintiff" (Exhibit "C" - Complaint - ¶42.) Plaintiff further alleges that "By engaging in the foregoing conduct in violation of federal and state securities laws, the Sporn Affiliated Defendants, Neubauer, and R. Sporn acted with fraud and malice" (Exhibit "C" - Complaint - ¶52.)

7. Defendants dispute and deny Plaintiff's allegations and believe the complaint lacks merit and deny that Plaintiff suffered damages.

BASIS FOR REMOVAL

8. This action is within the original jurisdiction of this Court and removal therefore is proper under 28 U.S.C. §§ 1332, 1441, 1446, and 1453, which grant district courts original jurisdiction over securities claims under Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5.

CONCLUSION

9. For all the reasons stated above, this action is within the original jurisdiction of this Court pursuant to 28 U.S.C. §1332(d). Accordingly, this action is removable pursuant to 28 U.S.C. §1441(a) and §1453.

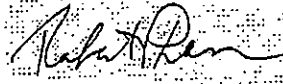
///

///

1 Wherefore, Defendants give notice that the above described action pending against
2 them in the Superior Court for the County of Orange, Central Justice Center, is removed
3 to this Court.

4
5 DATED: July 31, 2012

GARCIA & PHAN, A Law Corporation

6
7 

8
9 By

10 ROBERT N. PHAN
11 JUAN D. GARCIA
12 Attorneys for Defendants,
13 CORTISLIM INTERNATIONAL, INC.,
14 NATIONAL MARKETING, INC.,
15 CORTISLIM INTERNATIONAL, LLC,
16 ALAN R. SPORN, and JOHN S.
17 NEUBAUER, JR.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 17011 Beach Blvd., Ste. 540, Huntington Beach, CA 92647.

On July 31, 2012, I served the foregoing document described as:

DEFENDANTS, CORTISLIM INTERNATIONAL, INC., NATIONAL MARKETING, INC., CORTISLIM INTERNATIONAL, LLC, ALAN R. SPORN, and JOHN S. NEUBAUER, JR.'S, NOTICE OF REMOVAL

on interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

[SEE ATTACHED SERVICE LIST]

☒ (BY MAIL)

☐ I deposited such envelope in the mail at Huntington Beach, California. The envelope was mailed with postage thereon fully prepaid.

☒ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Huntington Beach, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on July 31, 2012, at Huntington Beach, California.

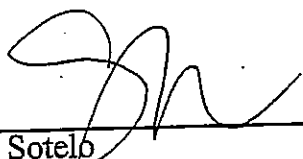
☐ (BY OVERNIGHT DELIVERY) I caused such envelope to be delivered via Overnight Express to the addressee(s) as indicated.

☐ (BY FACSIMILE) I faxed such document(s) to the facsimile number(s) shown on the service list. The transmission was reported as complete and without error by the transmitting facsimile machine.

☐ (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.
Executed on *, at Huntington Beach, California.

☒ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


Maria Sotelo

SERVICE LIST

Robert G. Dyer, Esq.
LAW OFFICES OF ROBERT G. DYER
501 West Broadway, Suite 1700
San Diego, CA 92101
619-234-9193 (Direct)
619-234-9192 (Facsimile)
rgd@rgdyerlaw.com

* Counsel for Plaintiff

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 17011 Beach Blvd., Ste. 540, Huntington Beach, CA 92647.

On July 31, 2012, I served the foregoing document described as:

DEFENDANTS' CORTISLIM INTERNATIONAL, INC.;
NATIONAL MARKETING, INC.;
CORTISLIM INTERNATIONAL, LLC; ALAN R. SPORN; and JOHN S.
NEUBAUER, JR.'S NOTICE OF REMOVAL TO THE SUPERIOR COURT

on interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

[SEE ATTACHED SERVICE LIST]

☒ (BY MAIL)

☐ I deposited such envelope in the mail at Huntington Beach, California. The envelope was mailed with postage thereon fully prepaid.

☒ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Huntington Beach, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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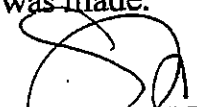
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☐ (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.
 Executed on *, at Huntington Beach, California.

☒ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


 Maria Setelo

SERVICE LIST

Robert G. Dyer
Law Office of Robert G. Dyer
501 West Broadway, Suite 1700
San Diego, CA 92101

telephone: (619) 234-9193
Facsimile: (619) 234-9192

* Counsel for Plaintiff

EXHIBIT “B”

LAW OFFICES OF ROBERT G. DYER

Robert G. Dyer, SB #76300
501 West Broadway, Suite 1700
San Diego, California 92101
Telephone: (619) 234-9193
Facsimile: (619) 234-9192

Attorneys for Plaintiff MAX MEDIA, INC.

ELECTRONICALLY FILED
Superior Court of California,
County of Orange

07/13/2012 at 10:12:00 AM

Clerk of the Superior Court
By Michele Curry, Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

MAX MEDIA, INC., a corporation,

Plaintiff,

v.

CORTISLIM INTERNATIONAL, INC.;
NATIONAL MARKETING, INC.;
CORTISLIM INTERNATIONAL LLC; ALAN
R. SPORN, an individual; JOHN S.
NEUBAUER, JR., an individual; RICHARD A
SPORN, an individual; and DOES 1 to 20,
inclusive,

Defendant.

CASE NO. 30-2012-00573178-CU-BC-CJC

Action Filed: May 31, 2012

**PROOF OF SERVICE OF SUMMONS RE:
CORTISLIM INTERNATIONAL, INC.**

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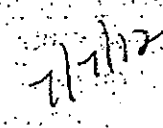
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POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) ROBERT G. DYER, ESQ. ROBERT G. DYER, LAW OFFICES OF 501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101 TELEPHONE NO.: (619) 234-9193 FAX NO. (Optional): (619) 234-9192 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff: MAX MEDIA, INC.		FOR COURT USE ONLY 
ORANGE COUNTY SUPERIOR COURT STREET ADDRESS: 700 CIVIC CENTER DR. WEST MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA, CA 92702 BRANCH NAME: SANTA ANA		
PLAINTIFF/PETITIONER: MAX MEDIA, INC. DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL, INC.		CASE NUMBER: 30-2012-00573178-CU-BC-CJC
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.: Max Media/ Dana

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of:

- a. ☒ summons
 b. ☒ complaint
 c. ☒ Alternative Dispute Resolution (ADR) package
 d. ☒ Civil Case Cover Sheet (served in complex cases only)
 e. ☐ cross-complaint
 f. ☒ other (specify documents): **NEW PROCEDURES FOR EXPEDITED JURY TRIALS IN CIVIL**

3. a. Party served (specify name of party as shown on documents served):
CORTISLIM INTERNATIONAL, INC.

- b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
MY LLC.COM - REGISTERED AGENT - By Serving: Blake Murphy - Authorized To Accept

4. Address where the party was served: **5716 Corsa Ave, Suite 110**
Westlake Village, CA 91362

5. I served the party (check proper box)

- a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **06/07/2012** (2) at (time): **12:04 pm**
 b. ☐ by substituted service. On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):

- (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
 (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

PETITIONER: MAX MEDIA, INC.

RESPONDENT: CORTISLIM INTERNATIONAL, INC.

CASE NUMBER:

30-2012-00573178-CU-BC-CJC

- c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☒ On behalf of (specify): **CORTISLIM INTERNATIONAL, INC.**
under the following Code of Civil Procedure section:

- | | |
|-------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input checked="" type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers

- a. Name: **PAULETTE SANDS - Diversified Legal Services, Inc.**
- b. Address: **4665 Park Blvd San Diego, CA 92116**
- c. Telephone number: **(619) 260-8224**
- d. The fee for service was: **\$ 58.50**
- e. I am:

- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☒ registered California process server:
- (i) ☐ owner ☐ employee ☒ independent contractor.
- (ii) Registration No.: **3928**
- (iii) County: **LOS ANGELES**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or
9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **06/07/2012**



Diversified Legal Services, Inc.
4665 Park Blvd
San Diego, CA 92116
(619) 260-8224

PAULETTE SANDS

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

LAW OFFICES OF ROBERT G. DYER

Robert G. Dyer, SB #76300
501 West Broadway, Suite 1700
San Diego, California 92101
Telephone: (619) 234-9193
Facsimile: (619) 234-9192

Attorneys for Plaintiff MAX MEDIA, INC.

ELECTRONICALLY FILED
Superior Court of California,
County of Orange

07/13/2012 at 10:12:00 AM
Clerk of the Superior Court
By Michele Curry, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

MAX MEDIA, INC., a corporation,

Plaintiff,

v.

CORTISLIM INTERNATIONAL, INC.;
NATIONAL MARKETING, INC.;
CORTISLIM INTERNATIONAL LLC; ALAN
R. SPORN, an individual; JOHN S.
NEUBAUER, JR., an individual; RICHARD A
SPORN, an individual; and DOES 1 to 20,
inclusive,

Defendant.

CASE NO. 30-2012-00573178-CU-BC-CJC

Action Filed: May 31, 2012

PROOF OF SERVICE OF SUMMONS RE:
NATIONAL MARKETING, INC.

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(Separate proof of service is required for each party served.)

- a. ☒ summons
b. ☒ complaint
c. ☒ Alternative Dispute Resolution (ADR) package
d. ☒ Civil Case Cover Sheet (*served in complex cases only*)
e. ☐ cross-complaint
f. ☒ other (specify documents): **NEW PROCEDURES FOR EXPEDITED JURY TRIALS IN CIVIL**

b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
MY LLC.COM - REGISTERED AGENT - By Serving: Blake Murphy - Authorized To Accept

- (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him of her of the general nature of the papers.
- (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him of her of the general nature of the papers.
- (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on
(date): from (city): ☐ or ☐ a declaration of mailing is attached.
- (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

PETITIONER: MAX MEDIA, INC.

CASE NUMBER:

RESPONDENT: CORTISLIM INTERNATIONAL, INC.

30-2012-00573178-CU-BC-CJC

- c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
 (1) on (date): (2) from (city):
 (3) ☐ with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt.) (Code Civ. Proc., § 415.30.)
 (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
 d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
 b. ☐ as the person sued under the fictitious name of (specify):
 c. ☐ as occupant.
 d. ☒ On behalf of (specify): **NATIONAL MARKETING, INC.**
 under the following Code of Civil Procedure section:

- | | |
|-------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input checked="" type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers

- a. Name: **PAULETTE SANDS - Diversified Legal Services, Inc.**
 b. Address: **4665 Park Blvd San Diego, CA 92116**
 c. Telephone number: **(619) 260-8224**
 d. The fee for service was: **\$ 23.50**
 e. I am:

- (1) ☐ not a registered California process server.
 (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
 (3) ☒ registered California process server:
 (i) ☐ owner ☐ employee ☒ independent contractor.
 (ii) Registration No.: **3928**
 (iii) County: **LOS ANGELES**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 or
 9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **06/07/2012**



Diversified Legal Services, Inc.
4665 Park Blvd
San Diego, CA 92116
(619) 260-8224

PAULETTE SANDS

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

LAW OFFICES OF ROBERT G. DYER

Robert G. Dyer, SB #76300
501 West Broadway, Suite 1700
San Diego, California 92101
Telephone: (619) 234-9193
Facsimile: (619) 234-9192

Attorneys for Plaintiff MAX MEDIA, INC.

ELECTRONICALLY FILED
Superior Court of California,
County of Orange

07/13/2012 at 10:12:00 AM
Clerk of the Superior Court
By Michele Curry, Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

MAX MEDIA, INC., a corporation,

Plaintiff,

v.

CORTISLIM INTERNATIONAL, INC.;
NATIONAL MARKETING, INC.;
CORTISLIM INTERNATIONAL LLC; ALAN
R. SPORN, an individual; JOHN S.
NEUBAUER, JR., an individual; RICHARD A
SPORN, an individual; and DOES 1 to 20,
inclusive,

Defendant.

CASE NO. 30-2012-00573178-CU-BC-CJC

Action Filed: May 31, 2012

**PROOF OF SERVICE OF SUMMONS RE:
CORTISLIM INTERNATIONAL, LLC**

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POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): ROBERT G. DYER, ESQ. ROBERT G. DYER, LAW OFFICES OF 501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101 TELEPHONE NO.: (619) 234-9193 FAX NO. (Optional): (619) 234-9192 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff: MAX MEDIA, INC.		FOR COURT USE ONLY 7/7/12
ORANGE COUNTY SUPERIOR COURT STREET ADDRESS: 700 CIVIC CENTER DR. WEST MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA, CA 92702 BRANCH NAME: SANTA ANA		
PLAINTIFF/PETITIONER: MAX MEDIA, INC. DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL, INC.		CASE NUMBER: 30-2012-00573178-CU-BC-CJC
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.: Max Media/ Dana

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of:

- a. ☒ summons
- b. ☒ complaint
- c. ☒ Alternative Dispute Resolution (ADR) package
- d. ☒ Civil Case Cover Sheet (served in complex cases only)
- e. ☐ cross-complaint
- f. ☒ other (specify documents): **NEW PROCEDURES FOR EXPEDITED JURY TRIALS IN CIVIL**

3. a. Party served (specify name of party as shown on documents served):
CORTISLIM INTERNATIONAL, LLC

- b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
MY LLC.COM - REGISTERED AGENT - By Serving: Blak Murphy - Authorized To Accept

4. Address where the party was served: **5716 Corsa Ave, Suite 110**
Westlake Village, CA 91362

5. I served the party (check proper box)

- a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **06/07/2012** (2) at (time): **12:04 pm**
- b. ☐ **by substituted service.** On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):

- (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
- (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

PETITIONER: MAX MEDIA, INC.

CASE NUMBER:

RESPONDENT: CORTISLIM INTERNATIONAL, INC.

30-2012-00573178-CU-BC-CJC

- c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) on (date):

(2) from (city):

- (3) ☐ with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt.) (Code Civ. Proc., § 415.30)

- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

- d. ☐ by other means (specify means of service and authorizing code section):

- ☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
 b. ☐ as the person sued under the fictitious name of (specify):
 c. ☐ as occupant.
 d. ☒ On behalf of (specify): **CORTISLIM INTERNATIONAL, LLC**
 under the following Code of Civil Procedure section:

☒ 416.10 (corporation)☐ 416.20 (defunct corporation)☐ 416.30 (joint stock company/association)☐ 416.40 (association or partnership)☐ 416.50 (public entity)☐ 415.95 (business organization, form unknown)☐ 416.60 (minor)☐ 416.70 (ward or conservatee)☐ 416.90 (authorized person)☐ 415.46 (occupant)☐ other:

7. Person who served papers

a. Name: **PAULETTE SANDS - Diversified Legal Services, Inc.**

b. Address: **4665 Park Blvd San Diego, CA 92116**

c. Telephone number: **(619) 260-8224**

d. The fee for service was: **\$ 23.50**

e. I am:

- (1) ☐ not a registered California process server.
 (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
 (3) ☒ registered California process server:
 (i) ☐ owner ☐ employee ☒ independent contractor.
 (ii) Registration No.: **3928**
 (iii) County: **LOS ANGELES**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

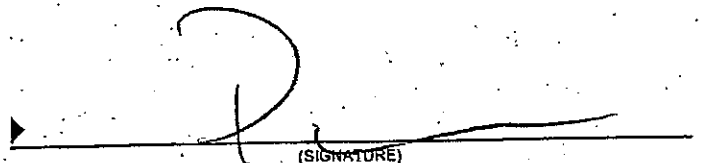
Date: **06/07/2012**



Diversified Legal Services, Inc.
4665 Park Blvd
San Diego, CA 92116
(619) 260-8224

PAULETTE SANDS

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


 (SIGNATURE)

LAW OFFICES OF ROBERT G. DYER

Robert G. Dyer, SB #76300
501 West Broadway, Suite 1700
San Diego, California 92101
Telephone: (619) 234-9193
Facsimile: (619) 234-9192

Attorneys for Plaintiff MAX MEDIA, INC.

ELECTRONICALLY FILED

Superior Court of California,
County of Orange

07/13/2012 at 10:12:00 AM

Clerk of the Superior Court
By Michele Curry, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

MAX MEDIA, INC., a corporation,

Plaintiff,

v.

CORTISLIM INTERNATIONAL, INC.;
NATIONAL MARKETING, INC.;
CORTISLIM INTERNATIONAL LLC; ALAN
R. SPORN, an individual; JOHN S.
NEUBAUER, JR., an individual; RICHARD A
SPORN, an individual; and DOES 1 to 20,
inclusive,

Defendant.

CASE NO. 30-2012-00573178-CU-BC-CJC

Action Filed: May 31, 2012

PROOF OF SERVICE OF SUMMONS RE:
ALAN R. SPORN, AN INDIVIDUAL

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PETITIONER: **MAX MEDIA, INC.**

CASE NUMBER:

30-2012-00573178-CU-BC-CJC

RESPONDENT: **CORTISLIM INTERNATIONAL, INC.**

- c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) on (date):

(2) from (city):

- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)

- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

- d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

3. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☒ as an individual defendant.
 b. ☐ as the person sued under the fictitious name of (specify):
 c. ☐ as occupant.
 d. ☐ On behalf of (specify):

under the following Code of Civil Procedure section:

- | | |
|-------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers

- a. Name: **DEBRA DELGADILLO - Diversified Legal Services, Inc.**
 b. Address: **4665 Park Blvd San Diego, CA 92116**
 c. Telephone number: **(619) 260-8224**
 d. The fee for service was: **\$ 48.50**
 e. I am:

- (1) ☐ not a registered California process server.
 (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
 (3) ☒ registered California process server:
 (i) ☐ owner ☒ employee ☐ independent contractor.
 (ii) Registration No.: **1761**
 (iii) County: **SAN DIEGO**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 or
 9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 07/05/2012



Diversified Legal Services, Inc.
4665 Park Blvd
San Diego, CA 92116
(619) 260-8224

DEBRA DELGADILLO

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

LAW OFFICES OF ROBERT G. DYER

Robert G. Dyer, SB #76300
501 West Broadway, Suite 1700
San Diego, California 92101
Telephone: (619) 234-9193
Facsimile: (619) 234-9192

Attorneys for Plaintiff MAX MEDIA, INC.

ELECTRONICALLY FILED
Superior Court of California,
County of Orange

07/13/2012 at 10:12:00 AM

Clerk of the Superior Court
By Michele Curry, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

MAX MEDIA, INC., a corporation,

Plaintiff,

v.

CORTISLIM INTERNATIONAL, INC.;
NATIONAL MARKETING, INC.;
CORTISLIM INTERNATIONAL LLC; ALAN
R. SPORN, an individual; JOHN S.
NEUBAUER, JR., an individual; RICHARD A
SPORN, an individual; and DOES 1 to 20,
inclusive,

Defendant.

CASE NO. 30-2012-00573178-CU-BC-CJC

Action Filed: May 31, 2012

PROOF OF SERVICE OF SUMMONS RE:
JOHN S. NEUBAUER, JR., AN
INDIVIDUAL

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POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) ROBERT G. DYER, ESQ. ROBERT G. DYER, LAW OFFICES OF 501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101 TELEPHONE NO.: (619) 234-9193 FAX NO. (Optional): (619) 234-9192 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		SBN: SB #076300 FOR COURT USE ONLY 7/20/12	
ORANGE COUNTY SUPERIOR COURT STREET ADDRESS: 700 CIVIC CENTER DR. WEST MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA, CA 92702 BRANCH NAME: SANTA ANA		CASE NUMBER: 30-201200573178CU-BC-CJC	
PLAINTIFF/PETITIONER: MAX MEDIA DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL		Ref. No. or File No.: DANA/MEDIA	
PROOF OF SERVICE OF SUMMONS			

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
 2. I served copies of:

- a. ☒ summons
 b. ☒ complaint
 c. ☒ Alternative Dispute Resolution (ADR) package
 d. ☒ Civil Case Cover Sheet (served in complex cases only)
 e. ☐ cross-complaint
 f. ☒ other (specify documents): **ATTENTION ALL ATTORNEYS AND LITIGANTS**

3. a. Party served (specify name of party as shown on documents served):

JOHN S. NEUBAUER, JR., AN INDIVIDUAL

- b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):

4. Address where the party was served: **538 SAN LUCAS DR**
SOLANA BEACH, CA 92075

5. I served the party (check proper box)

- a. ☐ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): (2) at (time):
 b. ☒ by substituted service. On (date): **06/20/2012** at (time): **12:45 pm** I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):
JOANNE NEUBAUER - CO TENANT

- (1) ☒ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☒ a declaration of mailing is attached.
 (5) ☒ I attach a declaration of diligence stating actions taken first to attempt personal service.

PETITIONER: **MAX MEDIA**RESPONDENT: **CORTISLIM INTERNATIONAL**

CASE NUMBER:

30-201200573178CU-BC-CJC

- c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.

(1) on (date):

(2) from (city):

- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)

- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

- d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☒ as an individual defendant.
 b. ☐ as the person sued under the fictitious name of (specify):
 c. ☐ as occupant.
 d. ☐ On behalf of (specify):

under the following Code of Civil Procedure section:

- | | |
|-------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers

- a. Name: **DEBRA DELGADILLO - Diversified Legal Services, Inc.**
 b. Address: **4665 Park Blvd San Diego, CA 92116**
 c. Telephone number: **(619) 260-8224**
 d. The fee for service was: **\$ 48.50**
 e. I am:

- (1) ☐ not a registered California process server.
 (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
 (3) ☒ registered California process server:
 (i) ☐ owner ☒ employee ☐ independent contractor.
 (ii) Registration No.: **1761**
 (iii) County: **SAN DIEGO**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 or
 9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 06/20/2012



Diversified Legal Services, Inc.
4665 Park Blvd
San Diego, CA 92116
(619) 260-8224

DEBRA DELGADILLO

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

ROBERT G. DYER, ESQ. ROBERT G. DYER, LAW OFFICES OF 501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101 Attorney For: TELEPHONE NO.: (619) 234-9193 FAX NO. (Optional): (619) 234-9192 E-MAIL ADDRESS (Optional):				FOR COURT USE ONLY	
ORANGE COUNTY SUPERIOR COURT STREET ADDRESS: 700 CIVIC CENTER DR. WEST MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA, CA 92702 BRANCH NAME: SANTA ANA					
PLAINTIFF (name each): MAX MEDIA DEFENDANT (name each): CORTISLIM INTERNATIONAL					
				CASE NUMBER: 30-201200573178CU-BC-CJC	
				Ref No. or File No.: DANA/MEDIA	
DECLARATION OF DILIGENCE		HEARING DATE:	TIME:	DEPT.:	

I received the within process on June 6, 2012 and that after due and diligent effort I have been able to serve said person. The following itemization of the dates and times of attempts details the efforts required to effect personal service. Additional costs for diligence are recoverable under CCP §1033.5 (a)(4)(B).

Servee: **JOHN S. NEUBAUER, JR., AN INDIVIDUAL**

Documents: **Summons; Complaint; Alternative Dispute (ADR) package; Civil Case Cover Sheet (served in complex cases only); ATTENTION ALL ATTORNEYS AND LITIGANTS**

As enumerated below:

06/06/2012 -- 07:10 pm

538 SAN LUCAS DR
SOLANA BEACH, CA 92075

NO ANSWER

06/07/2012 -- 09:54 am

538 SAN LUCAS DR
SOLANA BEACH, CA 92075

NOT IN, OUT OF TOWN

06/08/2012 -- 07:15 am

538 SAN LUCAS DR
SOLANA BEACH, CA 92075

NOT IN

06/13/2012 -- 06:55 pm

538 SAN LUCAS DR
SOLANA BEACH, CA 92075

NO ANSWER .

06/16/2012 -- 01:00 pm

538 SAN LUCAS DR
SOLANA BEACH, CA 92075

NO ANSWER .

Fee for Service: \$ 48.50

County: **SAN DIEGO**

Registration No.: **1761**

Diversified Legal Services, Inc.

4665 Park Blvd

San Diego, CA 92116

(619) 260-8224



I declare under penalty of perjury under the laws of the State of California that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on June 21, 2012.

Signature: _____

DEBRA DELGADILLO

DECLARATION OF DILIGENCE

Order#: 178280/DilFormat.mdl

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) ROBERT G. DYER, ESQ. ROBERT G. DYER, LAW OFFICES OF 501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101 TELEPHONE NO.: (619) 234-9193 FAX NO. (Optional): (619) 234-9192 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		SBN: SB #076300 FOR COURT USE ONLY	
ORANGE COUNTY SUPERIOR COURT STREET ADDRESS: 700 CIVIC CENTER DR. WEST MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA, CA 92702 BRANCH NAME: SANTA ANA		CASE NUMBER: 30-201200573178CU-BC-CJC	
PLAINTIFF/PETITIONER: MAX MEDIA DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL		Ref. No. or File No.: DANA/MEDIA	
PROOF OF SERVICE BY MAIL			

I am a citizen of the United States and employed in the County of San Diego, State of California. I am over the age of 18 and a party to the within action. My business address is 4665 Park Blvd, San Diego, CA 92116.

On June 20, 2012, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

Summons; Complaint; Alternative Dispute (ADR) package; Civil Case Cover Sheet (served in complex cases only); ATTENTION ALL ATTORNEYS AND LITIGANTS

the defendant in said action by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at SAN DIEGO, California, addressed as follows:

JOHN S. NEUBAUER, JR., AN INDIVIDUAL

**538 SAN LUCAS DR
SOLANA BEACH, CA 92075**

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at SAN DIEGO, California in the ordinary course of business.

Fee for Service: 48.50



DIVERSIFIED LEGAL SERVICES, INC
4665 PARK BLVD
SAN DIEGO, CA 92116
(619) 260-8224

I declare under penalty of perjury under the laws of the State of California that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on June 20, 2012.

Signature: _____

KEVIN S. GILBERT

PROOF OF SERVICE BY MAIL

Order#: 178280/mailproof

LAW OFFICES OF ROBERT G. DYER

Robert G. Dyer, SB #76300
501 West Broadway, Suite 1700
San Diego, California 92101
Telephone: (619) 234-9193
Facsimile: (619) 234-9192

Attorneys for Plaintiff MAX MEDIA, INC.

ELECTRONICALLY FILED
Superior Court of California,
County of Orange

07/13/2012 at 10:12:00 AM

Clerk of the Superior Court
By Michele Curry, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

MAX MEDIA, INC., a corporation,

Plaintiff,

v.

CORTISLIM INTERNATIONAL, INC.;
NATIONAL MARKETING, INC.;
CORTISLIM INTERNATIONAL LLC; ALAN
R. SPORN, an individual; JOHN S.
NEUBAUER, JR., an individual; RICHARD A
SPORN, an individual; and DOES 1 to 20,
inclusive,

Defendant.

CASE NO. 30-2012-00573178-CU-BC-CJC

Action Filed: May 31, 2012

PROOF OF SERVICE OF SUMMONS RE:
RICHARD A. SPORN, AN INDIVIDUAL

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POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Robert G. Dyer, Esq., SB #076300 LAW OFFICES OF ROBERT G. DYER 501 West Broadway, Suite 1700 San Diego, CA 92101 TELEPHONE NO.: 619/234-9193 FAX NO. (Optional): 619/234-9192 E-MAIL ADDRESS (Optional): rgd@rgdyerlaw.com ATTORNEY FOR (Name): MAX MEDIA, INC.	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 Civic Center Drive West MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: CENTRAL JUSTICE CENTER	
PLAINTIFF/PETITIONER: MAX MEDIA, INC., a corporation DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL, INC.,	CASE NUMBER: 30-2012-00573178-CU-BC-CJC
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: Max Media

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☒ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): NEW PROCEDURES FOR EXPEDITED JURY TRIALS IN CIVIL
3. a. Party served (specify name of party as shown on documents served): RICHARD A. SPORN, an individual
 - b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served: 521 Fifth Avenue, New York, NY 10175
5. I served the party (check proper box)
 - a. ☐ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): (2) at (time):
 - b. ☐ by substituted service. On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
 - (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

Page 1 of 2

PLAINTIFF/PETITIONER: MAX MEDIA, INC., a corporation	CASE NUMBER: 30-2012-00573178-CU-BC-
DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL, INC.,	

5. c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☒ by other means (specify means of service and authorizing code section): VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED - California Code of Civil Procedure, section 415.40.

- ☐ Additional page describing service is attached.
6. The "Notice to the Person Served" (on the summons) was completed as follows:
- a. ☒ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☐ On behalf of (specify):

under the following Code of Civil Procedure section:

- | | |
|-------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers

- a. Name: Dana C. Church
- b. Address: 501 West Broadway, Suite 1700, San Diego, CA 92101
- c. Telephone number: 619-234-9193
- d. The fee for service was: \$
- e. I am:

- (1) ☒ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ registered California process server:
- (i) ☐ owner ☐ employee ☐ independent contractor.
- (ii) Registration No.:
- (iii) County:

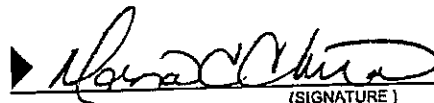
8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: July 12, 2012

DANA C. CHURCH
(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


(SIGNATURE)

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Richard Sporn 521 Fifth Ave New York, NY 10175		B. Received by (Printed Name) C. Date of Delivery 6-11-12	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type. <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7003 2260 0006 6644 4705	

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

7003 2260 0006 6644 4705

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	5	\$2.30	0902
Certified Fee		\$2.95	
Return Receipt Fee (Endorsement Required)		\$2.35	
Restricted Delivery Fee (Endorsement Required)		\$0.00	
Total Postage & Fees	\$	\$7.60	

Postmark Here
JUN - 8 2012
06/08/2012
USPS

Sent To: *Richard Sporn*
Street, Apt. No., or PO Box No.: *521 Fifth Ave*
City, State, ZIP+4: *New York, NY 10175*

PS Form 3800, June 2002 See Reverse for Instructions

EXHIBIT “C”

1 **LAW OFFICES OF ROBERT G. DYER**

2 Robert G. Dyer, SB #76300
3 501 West Broadway, Suite 1700
4 San Diego, California 92101
5 Telephone: (619) 234-9193
6 Facsimile: (619) 234-9192

7 Attorneys for Plaintiff MAX MEDIA, INC., a corporation

ELECTRONICALLY FILED
Superior Court of California,
County of Orange

05/31/2012 at 03:01:28 PM

Clerk of the Superior Court
By Maria Gina Barr, Deputy Clerk

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF ORANGE**

10 MAX MEDIA, INC., a corporation,

11 Plaintiff,

12 v.

13 CORTISLIM INTERNATIONAL, INC.;
14 NATIONAL MARKETING, INC.;
15 CORTISLIM INTERNATIONAL LLC; ALAN
16 R. SPORN, an individual; JOHN S.
17 NEUBAUER, JR., an individual; RICHARD A
18 SPORN, an individual; and DOES 1 to 20,
19 inclusive,

20 Defendants.

CASE NO. 30-2012-DD573178-CU-BC-LJC

COMPLAINT FOR DAMAGES

Judge John C. Gastelum

21 Plaintiff Max Media, Inc. ("Plaintiff") files its Complaint against Defendants CortiSlim
22 International, Inc., National Marketing, Inc., CortiSlim International, LLC, Alan R. Sporn, John S.
23 Neubauer, Jr., and Richard A. Sporn (collectively all referred to herein as "Defendants," and from
24 time to time, individually referred to as "Defendant") and hereby alleges as follows:

25 **PARTIES**

26 1. Plaintiff is and was, at all times relevant herein, a corporation organized under the
27 laws of the State of Nevada, and conducted business in the County of Orange, State of California.

28 2. Defendant CortiSlim International, Inc. ("CortiSlim, Inc.") is and was, at all times
relevant herein, a corporation duly organized under the laws of the State of Delaware, with its

1 principal place of business located at 28241 Crown Valley Parkway, Suite F-415, Laguna Niguel,
2 California 92677, and conducted the transactions referred to herein in the County of Orange, State
3 of California.

4 3. Defendant National Marketing, Inc. ("NMI") is and was, at all times relevant
5 herein, a corporation duly organized under the laws of the State of Wyoming, with its principal
6 place of business located at 28241 Crown Valley Parkway, Suite F-415, Laguna Niguel, California
7 92677. NMI's status in Wyoming is "revoked."

8 4. Defendant CortiSlim International, LLC, ("CortiSlim, LLC") is and was, at all
9 times relevant herein, a limited liability company, duly organized under the laws of the State of
10 Nevada, with its principal place of business located at 28241 Crown Valley Parkway, Suite F-415,
11 Laguna Niguel, California 92677. CortiSlim, LLC's, status in Nevada is "revoked." Upon
12 information and belief, CortiSlim, LLC, owns certain of the assets used in the marketing and sale
13 of the "CortiSlim®" brand products.

14 5. Defendant Alan R. Sporn ("A. Sporn") is and was, at all times relevant herein, an
15 individual and citizen of the State of California, residing in Orange County, California. A. Sporn is
16 the founder, promoter, chief executive officer, a director, and a stock holder of CortiSlim, Inc. and
17 NMI, and founder, promoter, chief executive officer and Managing Member of CortiSlim, LLC.

18 6. Defendant John S. Neubauer, Jr. ("Neubauer") is and was, at all times relevant
19 herein, an individual and citizen of the State of California, residing in San Diego County,
20 California. Neubauer is the Chief Financial Officer of CortiSlim, Inc., and engaged in some of the
21 conduct alleged herein in the County of Orange, State of California.

22 7. Defendant Richard A. Sporn ("R. Sporn") is and was, at all times relevant herein,
23 an individual and citizen of the State of New York, residing in Westchester County, New York. R.
24 Sporn is a stock holder, a board member, the Chief Strategy Advisor and General Counsel of
25 CortiSlim, Inc., and a Managing Member of CortiSlim, LLC, and engaged in some of the conduct
26 alleged herein in the County of Orange, State of California.

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28 ///

1 8. Plaintiff is informed, believes, and based thereon alleges that Defendants in this
2 action acted as alleged in this Complaint jointly and for common purpose; that the acts alleged in
3 this Complaint were in furtherance of a conspiracy among the Defendants; and that all actions
4 were taken pursuant to that common design to defraud Plaintiff, and resulted in the fraud, breach
5 of contract, violations of securities laws, and conspiracy, and breach of fiduciary duty set forth
6 herein, from which Plaintiff was damaged.

7 9. Plaintiff is informed, believes, and based thereon alleges that, at all times relevant,
8 there existed a unity of interest and ownership between A. Sporn, CortiSlim, Inc., CortiSlim, LLC
9 and NMI (collectively, the "Sporn Affiliated Defendants") such that any individuality and
10 separateness between the Sporn Affiliated Defendants never existed or has ceased to exist, and that
11 the Sporn Affiliated Defendants are the alter egos of each other. Plaintiff is further informed,
12 believes, and based thereon alleges that the Sporn Affiliated Defendants, and each of them, used
13 assets of each of the other Sporn Affiliated Defendants for their own purposes as though it were
14 their own and caused assets to be transferred between them or to entities they controlled. Plaintiff
15 is informed, believes, and based thereon alleges that adherence to the fiction of the separate
16 existence of the Sporn Affiliated Defendants, and each of them, as an entity distinct from the other
17 Sporn Affiliated Defendants, would permit an abuse of the corporate privilege, would sanction
18 fraud, and promote injustice, as well as set up the business of the Sporn Affiliated Defendants to
19 make an unfair profit from fraudulent misconduct, unlawful evasion of contractual obligations and
20 the deprivation of the rights and privileges afforded to minority shareholders under State and
21 Federal law. In particular, but without limitation, the Sporn Affiliated Defendants each directly and
22 indirectly controlled each other, and each is jointly and severally liable for the actions alleged in
23 this Complaint. Each has direct and indirect control of the other, including the power to direct or
24 cause the direction of the management and policies of the other, through ownership of securities
25 and assets, by contract, and otherwise. The Sporn Affiliated Defendants exercised active control
26 over the day-to-day affairs of the other, and each had the power to control and influence the
27 particular transactions alleged herein, whether or not such power was actually exercised in these
28 instances. (References herein to A. Sporn shall also refer to the Sporn Affiliated Defendants.)

1 10. On information and belief, Plaintiff alleges that each of the Defendants was the
2 agent of the others, and was acting for and on behalf of the others in doing the acts herein alleged.
3 Accordingly, each of the Defendants is liable for the acts of the others.

4 BACKGROUND FACTS

5 11. CortiSlim, Inc. is in the business of procuring the manufacture of, and in marketing
6 and selling, various dietary supplement products, under the name of "CortiSlim®."

7 12. NMI is or claims to be the owner of certain assignments of federal trademarks for
8 or involving the name "CortiSlim®," including marks Registration Number #4044657, 3132029,
9 3132028 and 3132026. NMI acquired the assignment of certain of the said trademarks from
10 Window Rock Enterprises, Inc.

11 13. Despite the fact that NMI is or claims to be the owner of the CortiSlim® marks, the
12 Sporn Affiliated Defendants, Neubauer and R. Sporn represent, and at all times relevant to this
13 matter have represented, that CortiSlim, Inc. is the owner of the registered trademark
14 "CortiSlim®."

15 14. In September 2011, CortiSlim, Inc. began a campaign to raise \$5,000,000.00 from
16 investors, by means of a Private Placement Memorandum dated September 26, 2011 (the "Private
17 Placement Memorandum"). In the Private Placement Memorandum, CortiSlim, Inc. stated that the
18 proceeds from investors would be used in part for the execution of the marketing plan for direct
19 marketing of the CortiSlim® products. CortiSlim, Inc.'s efforts to raise the \$5,000,000.00 had not
20 succeeded when A. Sporn became acquainted with Mr. John Graziano ("Graziano"), the principle
21 of Max Media, Inc., in the early fall of 2011.

22 15. In initial phone calls and email messages between A. Sporn and Graziano, A. Sporn
23 told Graziano about the money raising efforts by CortiSlim, Inc. and the need for a well-known
24 marketing and advertising company, such as the one owned by Graziano, to direct and oversee all
25 future marketing and advertising efforts of CortiSlim, Inc.

26 16. Graziano owns and operates Max Media, Inc., ("Max Media") a well-known
27 marketing and advertising firm. Graziano is a forty-year veteran of marketing and advertising and
28 has spent the last twenty-five years being heavily involved in the field of direct response marketing